

## U.S. Department of Justice



United States Attorney  
Eastern District of New York

NMA:RN:AL:sw  
F.#2010R00195  
Disc. 35

271 Cadman Plaza East  
Brooklyn, New York 11201

February 8, 2012

**Via ECF**

All Defense Counsel

Re: United States v. Theodore Persico, Jr., et al.,  
Criminal Docket No. 10-147 (S-3) (SLT)

Dear Counsel:

Pursuant to Rule 16 of the Federal Rules of Criminal Procedure, the government hereby furnishes the following supplemental discovery with respect to the above-captioned case. The government hereby reiterates its request for reciprocal discovery.

The following documents are available at First Choice Copy. You may obtain a copy of these documents by contacting Joe Meisner at (718) 381-1480 x212, or [jmeisner@nyc.rr.com](mailto:jmeisner@nyc.rr.com). Please reference print order number **60113**.

**TITLE III WIRETAP EVIDENCE**

Discovery exhibit 279 consists of court-ordered wiretaps on the following cellular telephones:

DESCRIPTION	BATES RANGE
Affidavit and related documents in Support of an Order Authorizing the Interception of Wire Communications to and from Mobile Telephone Number (646) 258-5115, Bearing IMSI No. 310260300133588, dated 5/19/09	36624-36708
Affidavit and related documents in Support of an Order Authorizing (1) the Continued Interception of Wire Communications to and from Mobile Telephone Number (646) 258-5115, Bearing IMSI No. 310260300133588, and (2) the Interception of Wire Communications to and from Mobile Telephone Number (347) 396-2981, Bearing IMSI No. 310260453457779, dated 6/23/09	36709-36824

DESCRIPTION	BATES RANGE
Affidavit and related documents in Support of an Order Authorizing the Interception of Wire Communications to and from Mobile Telephone Number (718) 593-2141, Bearing IMSI No. 316010160149736, dated 7/13/09 <sup>1</sup>	36825-36900
Affidavit and related documents in Support of an Order Authorizing (1) the Continued Interception of Wire Communications to and from Mobile Telephone Number (646) 258-5115, Bearing IMSI No. 310260300133588, and (2) the Continued Interception of Wire Communications to and from Mobile Telephone Number (718) 593-2141, Bearing IMSI No. 316010160149736, dated 7/24/09	36901-37009
Affidavit and related documents in Support of an Order Authorizing the Continued Interception of Wire Communications to and from Mobile Telephone Number (718) 593-2141, Bearing IMSI No. 316010160149736, dated 8/24/09	37010-37122
Affidavit and related documents in Support of an Order Authorizing the Continued Interception of Wire Communications to and from Mobile Telephone Number (718) 593-2141, Bearing IMSI No. 316010160149736, dated 9/23/09	37123-37236

### **1. Documents Relating to Wiretaps**

Draft transcripts of wiretap recordings will be provided to you if and when they are drafted upon counsels' joint written representation that the draft transcripts may not be used for any purpose including, but not limited to, the cross-examination of any witness and the argument of any motion.

### **2. Wiretap Recordings**

Compact discs containing the recordings of the above-listed wiretap intercepts and linesheets are available for your review.

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<sup>1</sup> Based on the government's current assessment, this affidavit references information and calls that may be pertinent to the defendants.

**a. Wiretap: (718) 593-2141**

There are seven CDs for this wiretap containing approximately 6,011 intercepts (Bates numbers 37237-37243), and one CD containing linesheets, (Bates number 37244).

**b. Wiretap: (646) 258-5115**

There are five CDs for this wiretap containing approximately 1,786 intercepts (Bates numbers 37245-37250), and one CD containing linesheets, (Bates number 37251).

**c. Wiretap: (347) 369-2981**

There is one CD for this wiretap containing approximately 872 intercepts (Bates number 37252), and one CD containing linesheets, (Bates number 37253).

Please contact me if you have any questions or additional requests.

Very truly yours,

LORETTA E. LYNCH  
United States Attorney

By:                     /s/                      
Samantha Ward  
Paralegal Specialist  
(718) 254-6142

cc: Clerk of the Court (SLT) (by ECF)